

**THE TOWN OF FOREST HEIGHTS
RESOLUTION 45-20**

A RESOLUTION TO APPROVE A CONSTRUCTION MANAGEMENT PROPOSAL OF PENNONI ASSOCIATES INC. FOR THE NORTH HURON DRIVE SAFE ROUTES TO SCHOOL PROJECT

Introduced by: Mayor Habib-Ullah Muhammad

WHEREAS, the Town has undertaken various activities in the past designed to improve water drainage of streets, roads, alleys and by-ways in the Town, which began with the preparation of the Drainage Assessment and Inspection Report and the Pedestrian Facilities Assessment and Transition Plan prepared by Pennoni Associates Inc. on January 22, 2011; and, this was an undertaking generally referred to by the Town as the "Forest Heights Permeable Green Streets Project;" and

WHEREAS, the Town pursuant to Resolution 43-12 expressed its original intent to obtain one or more Revolving Fund Loans through the Maryland Water Quality Financing Administration's ("MWQFA") revolving loan program and other funding sources in order to finance, reimburse or refinance all or a portion of the costs of one or more components of the Project; and

WHEREAS, there are several sources of funding being used by the Town to pay for this construction project along North Huron Dr. including a Safe Routes to School grant awarded by the Maryland Department of Transportation State Highway Administration in the amount of \$211,000.00; and

WHEREAS, on October 7, 2013, the Mayor and Council pursuant to Resolution 70-13 approved an engineering proposal by Pennoni Associates, Inc., for design of the reconstruction of North Huron Drive, which included an allowance to subcontract with A.D. Marble & Company ("A.D. Marble") whereby Pennoni would incorporate final drainage, SWM, E&S and landscape designs developed by A.D. Marble to prepare a comprehensive set of final design plans, and to further allow Pennoni to incorporate construction specifications, estimates and permits/approvals obtained by A.D. Marble into the final construction and bidding documents; and

WHEREAS, the Town Council originally authorized the Mayor to enter into an Engineering Services Proposal for Safe Routes to School along North Huron Drive dated December 1, 2016 for a fee not to exceed sixty thousand dollars (\$60,000.00); and

WHEREAS, at its August 21, 2019 Town Council meeting, the Town Council approved Resolution 52-19 which awarded the bid and authorized the Mayor to execute a contract on behalf of the Town with Fort Myer Construction Corporation for the construction of a sidewalk along North Huron Drive for a total cost of \$539,449.10; and

The Town of Forest Heights
Resolution 45-20

WHEREAS, the North Huron Drive Sidewalks – Phase I Project (Contract No. FHRFB 2-17) includes reconstruction of more than 2,300 linear feet of pervious concrete sidewalk, reconstruction/upgrades to driveway aprons, construction of ADA compliant concrete ramps, tree and fence removal and installation, and pavement markings to allow for pedestrian flow and access to the area schools; and

WHEREAS, on March 26, 2018, Resolution 18-18 regarding a revised supplemental proposal for professional engineering services for the design of the SRTS Project for North Huron Drive in the amount of \$34,000 was approved; and

WHEREAS, the professional services proposal of Pennoni Associates, Inc. approved in March of 2018 allowed for revisions or changes for additional services beyond the scope of the proposal provided the monies for those services were budgeted; and

WHEREAS, the Project was a first of its kind for the Town and stipulations associated with SRTS grant funds were revealed to include certain oversight and adherence to State and Federal grant requirements including the necessity to provide constant construction project inspectors on site during all times of construction; and

WHEREAS, the federal and state requirements have been numerous and substantial including bringing in specially qualified construction management inspectors for erosion & sediment control (ESC) certification for projects of this nature having Maryland Department of Environment (MDE) and State Highway Administration (SHA) credentials also known as “Yellow and Green” cards; and

WHEREAS, during the pre-construction meeting held for the project kick-off, it was discovered that although the subject of project management had been substantially addressed by the project team, a full complement of construction project inspectors had not been identified nor budgeted for, to the extent necessary to fulfill the SHA requirement of on-site inspectors and construction management needed to cover the entire timeframe, without any interruptions in coverage, associated with the project; and

WHEREAS, the construction phase of the North Huron Drive Sidewalk construction project began on February 24th 2020 and at the time it was the staff’s focus to make sure the project construction management inspection component was solidified to ensure timely project completion within the approximately ninety-day projected construction period and, since the construction contract that had been awarded in August 2019 was in jeopardy, due to ongoing negotiations on changes orders, the staff elected to continue with Pennoni’s services into the construction phase under the prior approved personal services contract; and

WHEREAS, Pennoni Associates, Inc. has tendered a proposal dated July 2, 2020 for professional services for SRTS along North Heron Drive for construction inspection, field

management, data entry and concrete testing, and engineering coordination needed to process and implement requests for information from State and Federal agencies; and

NOW THEREFORE, BE IT RESOLVED that the Council authorizes and approves the Mayor on behalf of the Town to enter into the attached written contract or proposal with Pennoni Associates, Inc., attached hereto and incorporated herein as Exhibit A, in the amount of 125,000.00 to carry out the performance of the project described herein above to be paid from Budget line item_____.

AND, BE IT FURTHER RESOLVED, that the Town Council of Forest Heights, Maryland hereby authorizes and approves the Mayor on behalf of the Town to execute any other related instrument or document necessary to carry out the intent of this Resolution.

AND, BE IT FURTHER RESOLVED that this Resolution shall take effect upon its passage.

PASSED this 6th day of July 2020.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland.

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

MUHAMMAD

Yea

KENNEDY II

NOBLE

Nay

BARNES

Yea

HINES

Yea

WASHINGTON

Yea

ATKINSON

Yea

ATTEST:

MAYOR AND COUNCIL OF THE TOWN OF
FOREST HEIGHTS, MARYLAND

SIGNATURE ON FILE

Sherletta Hawkins, Town Clerk

SIGNATURE ON FILE

Habeeb-Ullah Muhammad, Mayor

The Town of Forest Heights
Resolution 45-20

SIGNATURE ON FILE

Calvin Washington, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the 6th day of July 2020, with 5 Aye votes and 1 Nay vote the aforesaid Resolution 45-20 passed.

SIGNATURE ON FILE

Sherletta Hawkins, Town Clerk

Exhibit A (Contract/proposal.)